

1 AMENDMENT TO HOUSE BILL 703

2 AMENDMENT NO. _____. Amend House Bill 703 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 changing Section 5-5.12 as follows:

6 (305 ILCS 5/5-5.12) (from Ch. 23, par. 5-5.12)

7 Sec. 5-5.12. Pharmacy payments.

8 (a) Every request submitted by a pharmacy for
9 reimbursement under this Article for prescription drugs
10 provided to a recipient of aid under this Article shall
11 include the name of the prescriber or an acceptable
12 identification number as established by the Department.

13 (b) Pharmacies providing prescription drugs under this
14 Article shall be reimbursed at a rate which shall include a
15 professional dispensing fee as determined by the Illinois
16 Department, plus the current acquisition cost of the
17 prescription drug dispensed. The Illinois Department shall
18 update its information on the acquisition costs of all
19 prescription drugs no less frequently than every 30 days.
20 However, the Illinois Department may set the rate of
21 reimbursement for the acquisition cost, by rule, at a
22 percentage of the current average wholesale acquisition cost.

1 (c) Reimbursement under this Article for prescription
2 drugs shall be limited to reimbursement for 4 brand-name
3 prescription drugs per patient per month. This subsection
4 applies only if (i) the brand-name drug was not prescribed
5 for an acute or urgent condition, (ii) the brand-name drug
6 was not prescribed for Alzheimer's disease, arthritis,
7 diabetes, HIV/AIDS, a mental health condition, or respiratory
8 disease, and (iii) a therapeutically equivalent generic
9 medication has been approved by the federal Food and Drug
10 Administration.

11 (d) The Department shall not impose requirements for
12 prior approval based on a preferred drug list for
13 anti-retroviral, anti-hemophilic factor concentrates, or any
14 atypical antipsychotics, conventional antipsychotics, or
15 anticonvulsants used for the treatment of serious mental
16 illnesses until 30 days after it has conducted a study of the
17 impact of such requirements on patient care and submitted a
18 report to the Speaker of the House of Representatives and the
19 President of the Senate.

20 (Source: P.A. 92-597, eff. 6-28-02; 92-825, eff. 8-21-02;
21 revised 9-19-02.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."